

### **REMARKS**

Applicant wishes to thank the Examiner for the notice of allowable subject matter. Applicant has amended independent claim 1 to include all of the limitations of dependent claim 2. Claims 2 and 22 are cancelled without prejudice. Claim 3, which depended upon claim 2, has been amended to depend upon the currently amended independent claim 1. Applicant's amendment of claim 1 to include all of the limitations of claim 2, which has been identified as containing allowable subject matter by the Examiner, places in condition for allowance independent claim 1 and all of the remaining dependent claims having claim 1 as a base claim.

#### **I. OBJECTION TO DRAWINGS**

Applicant has amended claim 15 to replace "recovery" parachute with "overloaded ram-air drogue" parachute. Figure 11 of the application shows a swivel 228 connected to a drogue riser 202. Thus, the amendment of claim 15 negates the need to amend the drawings as requested by the Examiner. Based on the above, Applicant respectfully requests that the Examiner withdraw the objection and accept said drawings.

#### **II. REJECTION OF CLAIMS 1, 4, 8-10, 14, 17, 19, and 22**

The Examiner's rejection of claims 1, 4, 8-10, 14, 17, 19, and 22 under 35 U.S.C. § 103(a), as being unpatentable over St. Claire et al., U.S. Patent No. 6,622,968, in view of Preston, U.S. Patent No. 6,889,942, Keeler et al., U.S. Patent No. 4,440,366, and Hetzer et al., U.S. Patent No. 5,678,788, is respectfully traversed. In the current Office Action, the Examiner states that claims 2 and 3 would be allowable if rewritten in independent form including all of the limitations of the base claim (claim 1). Applicant has amended independent claim 1 to include the limitations of dependent claim 2. This amendment to claim 1 places said claim as well as the remaining

dependent claims in condition for allowance by the Examiner.

Applicant conceived and reduced his invention to practice prior to the effective date of the Preston patent. Therefore, the Preston patent does not constitute prior art for purposes of examining Applicant's current patent application.

The St. Claire patent is Applicant's own invention, in which Applicant is named as both co-inventor and assignee. Moreover, Applicant has cancelled claims 1 and 22 without prejudice. Thus, the Examiner's rejection of claims 1, 4, 8-10, 14, 17, and 19 under 35 U.S.C. § 103(a) have been overcome, and no longer applies.

### **III. REJECTION OF CLAIM 15**

The Examiner's rejection of claim 15 under 35 U.S.C. § 103(a), as being unpatentable over St. Claire et al., U.S. Patent No. 6,622,968, as modified by Preston, U.S. Patent No. 6,889,942, Keeler et al., U.S. Patent No. 4,440,366, and Hetzer et al., U.S. Patent No. 5,678,788, and in further view of Allen et al., U.S. Patent No. 4,662,589, is respectfully traversed. Dependent claim 15 ultimately depends upon the currently amended independent claim 1, and thus, claim 15 incorporates by reference all of the elements and limitations of independent claim 1. 35 U.S.C. § 112, fourth paragraph. This includes the novel features disclosed in claim 1 of an overloaded ram-air drogue parachute, a descent control system, to which said overloaded ram-air drogue parachute is connected, for steering said overloaded ram-air drogue parachute, and one or more recovery parachutes. As explained above, these novel features of Applicant's invention are not disclosed by the references cited in the current Office Action.

It is believed that all matters raised by the Examiner have been addressed, and the instant case is in condition for allowance. Applicant respectfully requests action to that end.

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Should the Examiner have any remaining questions or comments, the undersigned would appreciate a telephone call to possibly expedite this case.

If there are any additional charges, including extension of time, please bill our Deposit Account No. 13-1130.

Respectfully submitted,



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